



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTON
ATTORNEY GENERAL

August 30, 1990

Mr. James T. Russell
Administrative Assistant
27th Judicial District
P.O. Box 540
Belton, Texas 76513

OR90-423

Dear Mr. Russell:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 9227.

The District Attorney for Bell and Lampasas Counties received an open records request from a convicted criminal defendant for all records relating to him contained in the district attorney's files. Based on your representation that the defendant/requestor has not exhausted all of his postconviction remedies and that the requested information has not previously been released to him, the information comes under the protection of section 3(a)(3) pursuant to section 3(e) of the Open Records Act. See, e.g. Open Records Decision No. 433 (1986). You may consider this and prior open records rulings to your office as "previous determinations" pursuant to section 7 of the act if your office receives similar requests in the future.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-423.

Yours very truly,

A handwritten signature in cursive script, reading "Jim Moellinger".

Jim Moellinger
Assistant Attorney General
Opinion Committee

JM/RWP/1e
Ref.: ID# 10099, 9227, 9327
Enclosures: Submitted documents
cc: Herbert W. Hector
TDCJ #537208
Ellis I Unit
Huntsville, Texas 77343